



WASHINGTON STATE
ASSOCIATION OF
COUNTY CLERKS

Tim Fitzgerald, President
Spokane County Clerk
1116 W. Broadway Ave., Room 300
Spokane, WA 99260
509-477-3901
tfitzgerald@spokanecounty.org

March 26, 2020

Clerk of the Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Re: Comment to Proposed Changes to GR 7

Dear Clerk of the Supreme Court:

The Washington State Association of County Clerks writes to suggest some improved language to our original proposed changes to GR 7. This "improved" language in paragraph (b) is not intended to make any substantive changes; it is only intended to improve grammar, flow and readability.

We originally suggested the amendments to GR 7, so it may seem odd that we are also suggesting different language now. However, this improved language was suggested to us by an interested attorney who saw the GR 7 proposed edits on the Supreme Court website comments page. We agree that this version makes for a much better rule, and we submit it for your consideration.

Please feel free to contact me at tfitzgerald@spokanecounty.org or 509-477-3901 or Barbara Miner, King County Clerk, at Barbara.miner@kingcounty.gov or 206-477-0777, should you have questions or want more information.

Respectfully,

Tim Fitzgerald

Cc: Justice Charles Johnson, Chair, Supreme Court Rules Committee
Shannon Hinchcliffe, Staff, Supreme Court Rules Committee

GR 7

LOCAL COURT RULEMAKING RULES ~~FILING AND EFFECTIVE DATE~~

(a) [Unchanged.]

(b) Review and Comment

(1) No court may adopt an amended or new local rule without first distributing the proposal and allowing at least 30 days for comment. The court shall distribute the proposal by posting it on the court's website and sending the proposal to the county prosecutor, the county clerk, a representative of the county public defender, and the local bar association (with a request that the association notify its members). The court may also take other actions to distribute the proposal.

(2) The court shall direct that all comments on the proposal be submitted in writing to the court by a deadline the court sets. The court shall post on its website all comments it receives.

(3) After the comment period closes and the court considers any comments, the court may adopt, amend, or reject the proposal or take such other action as the court deems appropriate.

(bc) Form. All local rules shall be consistent with rules adopted by the Supreme Court, and shall conform in numbering system and in format to these rules to facilitate their use. Each rule and amendment filed shall state its effective date in brackets following the rule. Prior to adopting a local rule, the court may informally submit a copy of its local rule to the Administrative Office of the Courts for comments as to its conformity in number and format to the Official Rules of Court, and suggestions with reference thereto.

(ed) Distribution. On or before September 1 of each year, the Administrative Office of the Courts shall distribute all local rules, and amendments thereto, to the state law library, the libraries of the three divisions of the Court of Appeals, all county law libraries, Washington law school libraries, and to such other places as are deemed appropriate by the Administrative Office of the Courts.

(de) Availability of Local Rules. The clerk of the court adopting the rules shall maintain a complete set of current local rules, which shall be available for inspection and copying.

(ef) Emergency Rules.

(1) [Unchanged.]

(2) A rule or amendment adopted on an emergency basis shall become effective immediately on filing with the Administrative Office of the Courts. The rule or amendment shall remain effective for a period of 90 days after filing, unless readopted in accordance with section ~~(e)(1)~~(f)(1) or submitted as a permanent rule or amendment under section (a) within the 90-day period.

(fg) Filing Local Rules Electronically. The Administrative Office of the Courts shall establish the specifications necessary for a court to file its local court rules electronically.